

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02107-TSC**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF JUSTICE

Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 09/10/2018

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **Lauren M. Burke**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Michael Joseph Gerardi**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
(202) 616-0680
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LEAD ATTORNEY
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U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
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TERMINATED: 12/19/2018

| Date Filed | # | Docket Text |
|------------|----------|---|
| 09/10/2018 | <u>1</u> | COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5680988) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil |

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| | | Cover Sheet, # <u>2</u> Summons U.S. Attorney for the District of Columbia, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons U.S. Department of Justice)(Burke, Lauren) (Entered: 09/10/2018) |
| 09/10/2018 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Burke, Lauren) (Entered: 09/10/2018) |
| 09/10/2018 | | Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 09/12/2018) |
| 09/13/2018 | <u>3</u> | SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 09/13/2018) |
| 09/20/2018 | <u>4</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/18/2018. (Answer due for ALL FEDERAL DEFENDANTS by 10/18/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/18/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 9/18/2018 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Peterson, James) (Entered: 09/20/2018) |
| 09/24/2018 | <u>5</u> | ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/18/2018. (Answer due for ALL FEDERAL DEFENDANTS by 10/18/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/18/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Burke, Lauren) Modified on 9/24/2018 (ztd). (Entered: 09/24/2018) |
| 09/24/2018 | | NOTICE OF CORRECTED DOCKET ENTRY: re <u>5</u> Summons Returned Executed in FOIA as to U.S. Attorney,,, Summons Returned Executed as to U.S. Attorney General,,, Summons Returned Executed as to Federal Defendant,, was entered in error as it is a duplicate of docket entry <u>4</u> .(ztd) (Entered: 09/24/2018) |
| 10/15/2018 | <u>6</u> | Unopposed MOTION for Extension of Time to File Answer by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(McBride, Patricia) (Entered: 10/15/2018) |
| 10/17/2018 | | MINUTE ORDER: Granting <u>6</u> Unopposed Motion for Extension of Time to Answer. Defendant shall answer or otherwise respond to the complaint by November 7, 2018. Signed by Judge Tanya S. Chutkan on 10/17/18. (DJS) (Entered: 10/17/2018) |
| 10/19/2018 | | Set/Reset Deadlines: Answer due by 11/7/2018. (tb) (Entered: 10/19/2018) |
| 11/07/2018 | <u>7</u> | ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(McBride, Patricia) (Entered: 11/07/2018) |
| 11/07/2018 | | MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order no later than 12/14/18. Signed by Judge Tanya S. Chutkan on 11/7/18. (DJS) (Entered: 11/07/2018) |
| 11/09/2018 | | Set/Reset Deadlines: Joint Status Report due by 12/14/2018. (tb) (Entered: 11/09/2018) |
| 12/14/2018 | <u>8</u> | NOTICE of Appearance by Michael Joseph Gerardi on behalf of U.S. DEPARTMENT OF JUSTICE (Gerardi, Michael) (Entered: 12/14/2018) |

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| 12/14/2018 | <u>9</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Gerardi, Michael) (Entered: 12/14/2018) |
| 12/14/2018 | | MINUTE ORDER: Having considered the parties' Joint Status Report <u>9</u> , it is hereby ordered that the parties shall file another joint report by March 1, 2019. A proposed order shall accompany the report. Signed by Judge Tanya S. Chutkan on 12/14/18. (DJS) (Entered: 12/14/2018) |
| 12/18/2018 | | Set/Reset Deadlines: Joint Status Report due by 3/1/2019. (tb) (Entered: 12/18/2018) |
| 12/19/2018 | <u>10</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to U.S. DEPARTMENT OF JUSTICE. Attorney Patricia K. McBride terminated. (McBride, Patricia) (Entered: 12/19/2018) |
| 02/12/2019 | <u>11</u> | Unopposed MOTION for Extension of Time to <i>Provide Final Response to Plaintiff's FOIA Request</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Gerardi, Michael) (Entered: 02/12/2019) |
| 02/13/2019 | | MINUTE ORDER: Granting <u>11</u> Unopposed Motion for Extension of Deadlines. The Defendant shall provide a final response to Plaintiff's FOIA request by March 15, 2019. The parties shall file a further status report no later than April 1, 2019. The status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 2/13/19. (DJS) (Entered: 02/13/2019) |
| 02/13/2019 | | Set/Reset Deadlines: Response due by 4/1/2019. Status Report due by 4/1/2019. (tb) (Entered: 02/13/2019) |
| 02/13/2019 | | Set/Reset Deadlines: Response due by 3/15/2019. Status Report due by 4/1/2019. (tb) (Entered: 02/13/2019) |
| 03/25/2019 | <u>12</u> | NOTICE of Appearance by Paul J. Orfanedes on behalf of JUDICIAL WATCH, INC. (Orfanedes, Paul) (Entered: 03/25/2019) |
| 04/01/2019 | <u>13</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Orfanedes, Paul) (Entered: 04/01/2019) |
| 04/04/2019 | | MINUTE ORDER: Having considered the parties' joint status report <u>13</u> , it is hereby ordered that the parties shall file another joint report by 5/8/19 and every 45 days thereafter. To the extent the report contains a proposed production or briefing schedule, the order shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 4/4/19. (DJS) (Entered: 04/04/2019) |
| 04/05/2019 | | Set/Reset Deadlines: Joint Status Report due by 5/8/2019. (tb) (Entered: 04/05/2019) |
| 05/08/2019 | <u>14</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order Defendant's Proposed Order, # <u>2</u> Text of Proposed Order Plaintiff's Proposed Order)(Burke, Lauren) (Entered: 05/08/2019) |
| 05/16/2019 | | MINUTE ORDER: Having considered the parties' joint status report <u>14</u> , it is hereby ordered that the parties adhere to the following schedule: Defendant's Motion for Summary Judgment is due on or before July 17, 2019; Plaintiff's Opposition to Motion for Summary Judgment and Cross-Motion for Summary Judgment are due on or before August 14, 2019; Defendant's Reply and Opposition to Cross-Motion for Summary Judgment are due on or before September 11, 2019; and Plaintiff's Reply is due October 2, 2019. Signed by Judge Tanya S. Chutkan on 5/16/2019. (ltscl) (Entered: 05/16/2019) |
| 05/20/2019 | | Set/Reset Deadlines: Cross Motion due by 8/14/2019. Response to Cross Motion due by 9/11/2019. Reply to Cross Motion due by 10/2/2019. Summary Judgment motion due by 7/17/2019. Response to Motion for Summary Judgment due by 8/14/2019. Reply to Motion for Summary Judgment due by 9/11/2019. (tb) (Entered: 05/20/2019) |
| 07/15/2019 | <u>15</u> | Unopposed MOTION for Extension of Time to <i>File Summary Judgment Motion</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Gerardi, Michael) (Entered: 07/15/2019) |
| 07/16/2019 | | MINUTE ORDER: Granting <u>15</u> Motion for Extension of Deadlines. Defendant's Motion for Summary Judgment due July 26, 2019. Signed by Judge Tanya S. Chutkan on 7/16/19. (DJS) (Entered: 07/16/2019) |

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| 07/16/2019 | | Set/Reset Deadlines: Summary Judgment motion due by 7/26/2019. (tb) (Entered: 07/16/2019) |
| 07/25/2019 | <u>16</u> | Unopposed MOTION to Modify <i>the Schedule</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Gerardi, Michael) (Entered: 07/25/2019) |